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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

TO: The Honorable Reed Hundt, Chairman

AGENCY: Federal Communications Commission

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REMARKS: Attached please find a response to FCC Docket 96-86 from the City of Richardson. Original and 9 copies have been sent by Federal Express.

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October 18, 1996

The Honorable Reed Hundt, Chairman
Federal Communications Commission
1919 M. Street, N.W.
Washington, D.C. 20554

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

Reference: FCC Docket 96-86

Throughout the past year, representatives from public safety agencies throughout the United States have been involved in a massive effort to define the need for public safety communications resources. This group, the Public Safety Wireless Advisory Committee (PSWAC) has expended thousands of man hours to this critical issue. Following a review of the final report submitted by the PSWAC, the City of Richardson is pleased to support the findings and recommendations contained within the report. The City of Richardson is pleased to have had an opportunity to participate in this effort and believes that this document presents an excellent analysis of the immediate needs of the public safety in the communications arena.

Communications is the lifeblood of any organization. In no other organization is this function more critical, however, than in public safety. **While commercial enterprises measure success and failure in dollars, public safety measures their successes and failures in lives and property.** Over the past two years, radio spectrum has become the revenue stream of choice for this nation. At last count, it has been reported that spectrum auctions have brought over \$30 billion to the U. S. Treasury. Most of these revenues have been generated from speculative ventures related to cellular and PCS enterprises. As the spectrum pool diminishes, however, public safety agencies who lack the financial resources of these speculative enterprises are now faced with the dilemma of securing critically needed radio spectrum without the deep pockets available in the commercial market.

Of all issues raised in Docket 96-86, the need for an increase in spectrum available to public safety is paramount. While the PSWAC Final Report provides overwhelming technical documentation on this issue, the City of Richardson has addressed this issue from a pragmatic perspective. First, there has been no question raised by any sector of the communications industry that public safety users need additional communications resources. Quite simply, we have put more officers on the street, we have taken on additional programs in community policing, and we have attempted to implement new tools such as automated vehicle location and mobile data terminals. Each of these elements requires spectrum. For several years, the Department of Justice has been developing the NCIC 2000 program which will allow for the increased use of data and images from field units. At this time, no city or county agency in any major metropolitan jurisdiction in the United States is in a position to obtain the spectrum which will be necessary to implement this vital program.

If dedicated spectrum is not set aside for public safety users in advance of future spectrum auctions, local governments will be forced to either enter the competitive bidding process or forego access to critically needed spectrum. Entering the competitive bidding market effectively forces local government to implement an "unfunded mandate." As noted above, municipal, county, state, and federal public safety agencies are not equipped with the deep pockets necessary to deliver mandatory, fundamental communication services which would be required through a forced entry in the auction arena.

The City of Richardson further agrees with the findings of the PSWAC that it is impractical to force a relocation of all public safety users into a newly created, dedicated, set of spectrum. While this option would provide advantages in the



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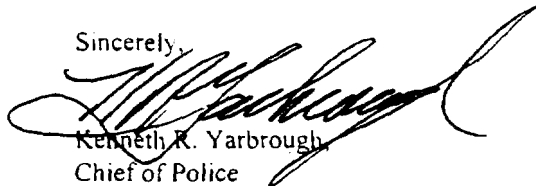
area of interoperability, the financial impact alone renders this option impractical. Within the Dallas-Ft. Worth metroplex, for example, jurisdictions have spent well in excess of \$40 million implementing 800 MHz trunked systems over the past five years. Abandoning these systems to relocate to another band of spectrum is neither financially nor functionally practical.

Another issue addressed in Docket 96-86 relates to the increased dependency on commercial services. Without question, commercial services serve as an invaluable tool for public safety. The use of commercial pagers and cellular telephone service provides an excellent tool for a wide range of public safety personnel. One need look no further than the events surrounding the Oklahoma City bombing incident, however, to determine the impact of public versus commercial services in determining the ability of public safety users to perform their critical duties in a timely and professional manner. It is rare to find any commercial service which offers the same level of coverage, reliability, or redundancy as required by public safety. If a plumber utilizing a SMR system misses a transmission, someone is inconvenienced. If a peace officer misses a transmission, the consequences are potentially far more severe.

In the area of interoperability, the PSWAC report paints a clear picture of the problems which exist today. As noted above, the City of Richardson does not believe that migration of all public safety users to a common band of spectrum is practical in either economic or functional terms. The City of Richardson, as a user of a NPSPAC 800 MHz trunked system, has had excellent success in the use of the five national interoperability channels which were implemented in conjunction with the NPSPAC spectrum. Based on our success of this process, the City of Richardson favors the recommendation contained within the PSWAC report which calls for the development of a common band of interoperability spectrum. While this process would call for the development of dual-band user equipment, this option far outweighs the abandonment of fixed site equipment currently in use by public safety users throughout the United States. This approach would also provide each public safety with the ability to migrate to interoperability-capable user equipment as budgets allow without adverse impact on their fixed site equipment.

In summary, the City of Richardson strongly encourages the Federal Communications Commission to closely examine the work of the Public Safety Wireless Advisory Committee and grant the recommendations contained therein. Public safety is now at the crossroads. Failure to follow the right path will have adverse impact to every public safety agency in this nation. The City of Richardson is pleased to have had an opportunity to participate in this process and looks forward to the positive response by the Commission.

Sincerely,



Kenneth R. Yarbrough
Chief of Police
Richardson Police Department

cc: The Honorable Phil Gramm
The Honorable Kay Bailey Hutchison
The Honorable Jack Fields
The Honorable Joe Barton
The Honorable John Bryant